

REPORT OF THE KANSAS CONFERENCE COMMITTEE.

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S P E E C H

or

HON. JACOB COLLAMER, OF VERMONT.

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Delivered in the Senate of the United States, April 27, 1858.

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The Senate having under consideration the report of the committee of conference on the disagreeing votes of the two Houses on the bill for the admission of the State of Kansas into the Union—

Mr. COLLAMER said:

Mr. PRESIDENT: I do not propose, at this time, to occupy the Senate at any great length; but I shall endeavor, as succinctly and as distinctly as I can, to state, in the first place, why I, together with those who act with me, opposed the Senate bill, without going into the argument on its merits; and, in the second place, why we voted for the amendment of the House of Representatives; and, in the third place, why we cannot vote for the proposition now offered.

First, as to the Senate bill: its substance was, if adopted, that it admitted Kansas into the Union as a State under the Lecompton Constitution, without any further action of the people. Our objections consisted essentially in these: that that Constitution was framed by a Convention which was the fruit and result of usurpation and fraud; that the usurpation which had been instituted originally, continued so as to deprive the people of the opportunity of free voting on the subject of calling a Convention; that an unfair and imperfect census was taken, by which a large part of the people were deprived of the chance of voting for delegates; that the Constitution was formed in defiance of the will of the people, as manifested in their then recent election for a Territorial Legislature, and was made, in point of fact, only by those who acted in and approved of it, by a minority of those originally elected to the Convention; that the Constitution was professed to be presented to the people in a disguised and deceptive form; that the people themselves were deprived of the opportunity which had been promised to them, of passing on the whole Constitution; that an election

was held, wherein they professed to obtain some six thousand votes for the Constitution with Slavery; that an election for State officers was made under that Constitution by officers not in any way appointed by the people, and unknown to the law; that that election was fraudulently conducted; and that, besides all this, the people, at an election held on the 4th of January, by virtue of an act of the Territorial Legislature, by a very large majority, repudiated it. These, put together and aggregated, constituted our objection to the Lecompton Constitution; and for these reasons we considered that it ought not to receive the attention of Congress; that the State should not be admitted under it; and that it was not entitled to be regarded in any measure as a Constitution presenting the views of the people of Kansas.

In all these respects the Senate, by a large majority, voted us down. Our objection was not merely that the Constitution had not been submitted to the people. We insisted that, in point of fact, the people had, on the 4th of January, under lawful authority, voted directly to reject it by a very large majority. That, to be sure, among others, was ground of complaint; but all these objections, and others which were presented by other gentlemen, were aggregated in the complaint. The Senate, however, decided that, in point of fact, the Lecompton Constitution was the Constitution of Kansas, so far as the action of Kansas was concerned; and that it was only for Congress to say whether they would accept it; that the people had made that Constitution legally by their delegates—not only formed it, but adopted it, and that the only question of difference existing there was one in relation to Slavery, which, as they said, was fairly submitted. They therefore passed a bill admitting Kansas as a State with that Constitution.

I next call attention to the amendment pre-

sented by the House of Representatives. What was its character? Why was it voted for? So far as I could understand, the substance of it, will it occurring to particulars, insisted on three things: first, that the Lecompton Constitution should be submitted to a vote of the people, and if they adopted it, very well—it was to stand; but, second, if they did not adopt it, they should proceed, by a Convention, to form such a Constitution as they wished; and that, upon being ratified by the people, they should be admitted as a State with such new Constitution; and, third, in order to secure fair elections on the Constitution, a board was formed, consisting of the Governor and Secretary of the Territory, appointed by the President, and of the presiding officers of the two Houses of the Territorial Legislature, elected by the people; and this board was to direct and control the elections and their returns, pass upon them, and finally decide them. That was the proposition which came to us as an amendment from the House of Representatives. Why did we vote for it? In the first place, it would be sufficient for me to say that there were presented to us two alternatives—on the one hand, the Lecompton Constitution, which had been rejected by the people of Kansas, most imperatively and conclusively, and, on the other, an offer to submit it to the people, accompanied by a provision, that if they did not like it they might make another Constitution which they did like. Could there be any hesitation as to how we should vote in regard to these two alternatives? Could there be any doubt as to the choice we should make between them?

In the next place, if we voted against the House amendment, we deprived the people of Kansas even of the right of establishing a free Constitution; we left them to have the Lecompton Constitution imposed upon them, and gave them no opportunity to form a free one. Hence we voted for that proposition. Again, it was fair—it was fair even to those who claim that the people, in forming their Constitution, may make it a free-State or a slave-State Constitution, as they please, because it offered that opportunity. That proposition was a very liberal step for those gentlemen to take—and there are such in the country—who hold that the people, in the formation of a State Constitution, even, have not the right to enslave their fellow-men. But, those gentlemen, if any such there were in the two Houses, voted for it with great liberality. And why? First, because it was the best of the two alternatives offered to them. Next, because, after the knowledge of the vote of the 4th of January, disclosing ten thousand majority against this Constitution, there was every moral certainty that when the Lecompton Constitution, with Slavery, was presented to the people of Kansas, it would be rejected; and there was therefore no hazard in voting to give them an opportunity of that kind.

But, sir, we were induced to vote for the House amendment for another consideration; and that is, that it provided a fair board by which elections were to be conducted. We said the previous elections in Kansas had been controlled

by violence, and corruption, and fraud, but here was a chance to have them safely and honestly conducted; and so much security was felt in the board provided by the House amendment, that we were even willing to say, that when that board had supervised the election, appointed the officers, received the returns, and adjudicated upon those returns, the whole subject might be settled by the proclamation of the President, and we were led to the latter merely from confidence in the former provision.

But another consideration, and perhaps the most important of them all, was that the House amendment proposed a course of proceeding which would put an end to this controversy in either event, and at all events. If the people of Kansas received and accepted the Lecompton Constitution by the vote of a majority, they were to be received; and if they did not, they were to call a new Convention and form such a Constitution as they pleased, and when that Constitution was ratified they were to be admitted. There was to be the end of the controversy. It was because the House amendment did end the controversy that it commended itself to the acceptance of those who voted for it on this side of the Chamber.

Now, Mr. President, I come to the next step: the proposition which is offered as a substitute for both those bills—the proposition of the committee of conference. I do not propose to go into its details; but let us see whether it gives to those of us who voted against enforcing the Lecompton Constitution upon the people without their consent, and who voted for the propositions of the House of Representatives, those leading features of security, and those objects which we desired to attain, which were given to us in the latter proposition. I will state its leading provisions. The first is, that the Lecompton Constitution shall be presented to the people of Kansas for their acceptance or rejection. "Oh, no," says the honorable Senator from Virginia, [Mr. HUNTER,] "it does not submit the Constitution to the people." The majority of the Senate, by the bill they have passed, decided that it was a Constitution, perfect, so far as Kansas was concerned, not to be passed upon any further by the people; and he says this bill so treats it. If I understand it, it does not so treat it. It submits a certain question to the people; that is, whether they will accept those land grants; and it provides that, if they accept those land grants, then, and in that case, Lecompton shall stand as the Constitution; but it further provides, that, if they reject that proposition in regard to the land grants, they reject the Lecompton Constitution. Now, I ask, is it true, as the Senator from Virginia says, that that is consistent with any former action of the Senate? Does it not submit a question to the people by which they may reject the Lecompton Constitution? Certainly it does. Did not the Senate say, in the former bill, to those people, "it is all perfected on your side, and you shall have no opportunity to reject Lecompton?" Yes, they did, unconditionally; and I say they now propose a question to the people by which the people may reject Lecompton.

Anon Ed.

ton; and yet you say that you do not subject the Lecompton Constitution to their vote! The two are utterly inconsistent; and there is no ingenuity or sophistry, though the gentlemen may have much of the former, if not of the latter, which can by possibility disguise or blink this out of sight.

But, sir, as I said, this proposition provides for submitting to the people of Kansas a question in relation to land grants—whether they will accept a certain proposition in relation to lands. It further provides that, if they will not accept that, then, and in that case, Lecompton goes aside, and the people of Kansas are to remain in their Territorial condition for a length of time entirely indefinite. It says they may have a Convention when they have a sufficient number of people to entitle them to a Representative in Congress. That number is now ninety-four thousand; but, after the next census, in 1860, it may be one hundred and twenty or one hundred and fifty thousand; we know not. When that time will arrive, we know not. Then, the amount of it is, that it is an indefinite delay; it shall be indefinitely deferred.

Besides, it is as much as saying to them, "we make you this offer of land, but if you will not take this offer of land, liberal as it is, now, see the danger you run of never getting it." Again, this same bill provides that a different board shall be created to direct and supervise the election. It proposes to add a member, the District Attorney, appointed by the President, to the Governor and Secretary, so that they shall have three—a controlling majority of that board over the presiding officers of the two Houses of the Legislature. We view this as entirely unfair.

The first objection that occurs to my mind is the form in which this question is attempted to be presented to the people of Kansas. This has been very well defined by the honorable Senator from Kentucky, [Mr. COTTENDEY.] It is to put to them one question, by the answer to which they are to decide another question that has no relationship to it. You might as well put the question to that people, "will you vote that you will be freemen?" and now we say to you, "if you vote that, you will be freemen, you shall have the Topeka Constitution; but if you vote that you will not be freemen, then you shall remain in a Territorial condition." There is no more relationship between the acceptance of this grant of land and the character of this Constitution, than there would be between the question proposed and the result that was to follow in the case I have just put. There is no necessary legal sequence or connection between the two questions. The proposition is therefore artificial, deceptive in its consequences. You put to a man the question, "Sir, will you take such grants of land; as a citizen of Kansas, are you willing to receive such grants?" "Yes," says he, "I am." "Well, will you vote so?" "I do not see why I should not vote so." "Well, we tell you now, if you will vote to accept these grants, you shall take the Lecompton Constitution that you have rejected." In short, "if you will not vote against a favorable offer, you shall have imposed upon

you a Constitution to which you are opposed, and you must vote against a favorable offer, in order to get rid of an obnoxious Constitution. You must vote against what you desire, in order that you may get rid of a greater evil. If you vote for these grants which are acceptable to you, and liberal in their character, you do it at the peril of taking upon you a Constitution that you detest." It is the very manner in which the question is put to the people which is objectionable. It is artificial in its character; it is calculated to mislead.

We have complained a great deal that the Lecompton Constitution was submitted to the people in regard to the question of Slavery, in a certain manner, which was unfair, deceptive, and dealing in duplicity. That submission was this: "You may vote for the Constitution with Slavery, or for the Constitution without Slavery; but you have to vote for the Constitution, at any rate, which has Slavery in it in either case." Now, how is it here? We put to you the question, "Will you vote for these land grants? But now remember, if you vote for the land grants you are to have this slave Constitution, and if you vote against the land grants you are to have Slavery in your Territory without a Constitution." That is, you are to have a Constitution with Slavery, or Slavery without a Constitution, but Slavery at any rate. That seems to me to be the way in which the question is put to them; because you hold that, under the Dred Scott decision, it is a slaveholding Territory, and therefore, if the people vote for these land grants they are to take a slaveholding State Constitution, and if they vote against them, they are to endure Slavery under a Territorial form of government. That is the alternative.

The next objection I have to the manner in which this new bill presents the question is to the provision in regard to population. It seemed to be agreed on all hands, and it was provided in the bill passed by the Senate, that the numbers of the people of Kansas were sufficient to justify their admission. They had numbers enough to admit them two years ago, if they would make a Constitution to suit *you*. You thought they had numbers enough to admit them under the Lecompton Constitution. There are numbers enough of them now to justify their admission as a State, if they vote for this Constitution; but you give them to understand that there are not numbers enough, if they vote against this Constitution, to make a free one. We have here a proposition that Kansas shall be admitted if she will have a slave Constitution, and shall not be admitted if she will not have a slave Constitution. They are people enough to hold slaves, but not people enough to enjoy freedom! This, it seems to us, is a palpable injustice—an entirely different affair from the House amendment.

In the next place, the proposition which is now before us produces no finality; it makes no settlement. It only makes a settlement provided they adopt the Lecompton Constitution, by voting in favor of these grants of land. That will make a finality; and that is the only finality under this

proposition—a finality in one result. If the people do not vote to accept these grants, it provides for no finality, no settlement, but leaves things in *status quo* by declaring that the people of Kansas shall remain under a Territorial form of government for an indefinite and unlimited period of time. I do not know that that part of the proposition will really have much practical effect. It seems to me to be rather *brutum fulmen*, because I suppose Congress can at any time admit them, notwithstanding this declaration; but, after all, that is the effect it is intended to have on the minds of the people of Kansas. It is intended if this bill passes, that they shall understand that if they do not accept this proposition, this shall be a bar to their coming in until they have a certain population.

Another objection, and one to which I have alluded before, is that we are not content with this newly-constituted board to supervise the elections; we are not willing to take results produced under such supervision, so as to say that the President, upon the returns being made to him, shall issue his proclamation, and Kansas become a State, without those returns being submitted to our examination. If a board were constituted in the manner provided in the House amendment, we had so much confidence in that manner of constituting the board that we were willing to pass it; but we are not willing to have a board constituted in the manner provided in this bill, and trust in the result. The history of affairs in Kansas is such as leads us to be cautious on that subject. We all cannot but know, at any rate a large portion of us are convinced, that the elections in Kansas have been, either by violence at the polls, or by fraud and false returns afterwards, so conducted that a small minority of the people have been kept in power. I need not go over the evidences of this. The history of the transaction is full of them at every step.

There is another thing that we cannot but remember. Whatever officers, especially leading officers, who have been appointed in that Territory by the Executive of this Government, the President of the United States, have favored any degree of fairness to the majority of that people, have desired to secure them at all against the influence of violence and fraud, have incurred the Executive displeasure. This remark will apply, I think, to all the Government officers there who have evinced any fairness, whether we refer to Governor Reader, Governor Geary, acting Secretary Stanton, or Governor Walker. In all cases where there has been manifested a disposition to do fairness, and to get rid of frauds, the officers who have manifested such a disposition have certainly incurred Executive displeasure and its consequences; and therefore we suppose that whatever officers are appointed by the Executive will read the history of their own fate in that of those who have preceded them, and will consult their own security in what they are doing. We believe we cannot find any safety in this proposition, when the majority of the supervising board who have charge of the elections is given into the control of officers created by the

Government of the United States; superseding and overriding the officers appointed by the people of Kansas. This is a feature which we regard as of vital importance, and to which we cannot consent. When I say that, I speak for myself, and not by authority from any of my associates, any further than I derive it from the action which I have already witnessed at their hands. I have no direct authority to speak for them.

Now, sir, the whole of this proposition amounts to this: it is saying to the people of Kansas, you may vote for the Lecompton Constitution, but if you do not have that, you shall have nothing. We are calling upon the people of Kansas to act on the great question of forming their Constitution—of forming, ratifying, or putting in operation, if you please, by their votes, the Constitution of their proposed State Government. It is fundamental, it is the first great principle of self-government. Now, you call upon that people to act on that subject, and do you secure to them even what was promised in the Cincinnati platform? Its pledge was, that in forming a State Constitution the people should be left perfectly free to mould their institutions in their own way. Now, the people of Kansas are called upon to take action about the adoption of a Constitution, to pass a vote which shall put that Constitution in force, or reject it; and are they left free? They are trammelled up to that one single act, whether they will have the Lecompton Constitution or have nothing. They are not left free to form any Constitution they want, to shape any Constitution as they may desire it to be, in relation to any of their institutions. In short, the vote seems to be very much like the case of Napoleon III, who allowed the people of France to vote, not whether you will have an Emperor, not who will you have as Emperor, but will you have me for Emperor? That is all.

Mr. President, I wish now to say a few words in regard to the views presented by the honorable Senator from Virginia. He says this bill is in exact consistency with that which the Senate before passed. I have shown in one respect wherein it differs; but that is not all. What was the trouble with that bill? He says that bill merely declared, in relation to the ordinance, that we did not ratify it; that we disclaimed it, and did not provide for the state of things that would result if the people of Kansas should not agree to this condition on which they were to be admitted; and, therefore, this bill goes on to provide for that contingency. Well, sir, if the bill which the Senate passed was obnoxious to that difficulty, why on earth did they pass it at all? If it was an objection that you ought to make provision for the contingency of the people in a Convention, or by their own votes, refusing to ratify the amended ordinance which you submitted to them, then why did you go on to pass a bill by which you admitted them on condition that they should not have the ordinance which the Convention had made? The Senator from Virginia says the difficulty is in regard to the ordinance proposing the terms on which the State shall agree to forego the right of taxing

the public lands, if it has that right, and the grants in consideration of which it will yield that right. He says that is a matter on which the State should pass, as a people, by themselves, or by their delegates; and that, until they do that, you cannot admit them as a State, unless they have themselves delegated that power to their own Convention. Then, I ask, how came the Senate to pass the original bill, by which they jumped over all objections of that kind? I say this is a different thing, and inconsistent with that bill in that respect. But the truth is, all that amounted to nothing, for the ordinance is no part of the Constitution. They claim certain grants of land. If we receive them under their Constitution, without disclaiming the ordinance, we make the grants; but the bill passed by the Senate provided that they should be admitted on condition that the ordinance should be of no effect, and further provided that nothing contained in the bill should exclude them from claiming what had been granted to Minnesota, (which is what is now offered,) or prevent Congress from making grants whenever it chose. Was not that left right? I see no objection to that part of the bill; there never was any objection made to that on this side of the Chamber, I believe. Neither the people there nor anywhere else made any objection to it on that ground. No, sir, this is a mere device. There has never been any issue of that kind made in any quarter, by any man, or by any paper in Kansas, here, or elsewhere. It is altogether an after-thought, a device cooked up for this occasion.

The honorable Senator from Virginia claims that this very proposition does that which would settle this controversy, as he thinks. Well, then, he must think they are going to adopt the Lecompton Constitution, I suppose; but he hardly intimates that. He hardly believes they will do that. What then? It will leave Kansas in a Territorial condition, and then, he says, we shall have a guaranty of peace for three, four, five, or six years. Wherein is that guaranty of peace? May not, and will not, the same controversy continue in Kansas as heretofore? Shall we have taken any step to cure it? Not at all. Will they not continue to call Conventions, and ask for admission into the Union when they please? Certainly; but oh, it is said, we have provided here that they shall not be admitted until they have the proper number. That, however, does not prevent Congress from admitting them, nor prevent them from asking for admission. Every bone of contention, every apple of discord, every point of difficulty which has ever agitated Kansas or the country on this subject, remains, and will remain until they are admitted as a State. It is vain to suppose that we are going to localize the quarrel now, any more than we have succeeded in doing so heretofore. The people of this Union, in all parts of it, particularly in the North and South, have taken too deep an interest in the question involved, to permit it to go on without their participating in it, in interest at least. They will partake in it. Hence, this proposed bill will leave, and it does leave, at any rate in one result, all the difficulties open to perpetual agitation.

Mr. President, disguise this matter as we may, there is one fact of which, I think, we must be morally convinced, that the Lecompton Constitution is abhorrent to the views and feelings and opinions of a large majority of the people of Kansas. I doubt whether a man can be found who will question that fact. The very message which the President of the United States has sent to us on the subject, imports that. He says that the people of Kansas were so strangely attached to the Topeka Constitution that it was of no use to submit to them any other, for they would reject it; and it was not submitted to the people because it would be rejected. So it is in relation to the action of the delegates to the Convention who had promised to submit the Constitution to the people, and did not do so. After all, why was it that they did not submit it to the people? Can any man present any other possible reason, than because they knew the Constitution would be rejected? The vote which was taken on the 4th of January, even if you count on the other side all the votes given on the 21st of December, leaves no possible doubt about it. I suppose that all the people in Kansas who desired to have the Lecompton Constitution, voted for it, either with or without Slavery, on the 21st of December. Six thousand votes were returned as having been cast on that occasion. I do not think more than half of them were really cast, but call it six thousand. I suppose that about all the people of Kansas who desired to reject that Constitution altogether, voted against it on the 4th of January—more than ten thousand. Under these circumstances, can there be any reasonable doubt as to the views of the people of Kansas? None at all. Viewing it in that light, I consider it altogether wrong to resort to any contrivances, any devices, any expedients, on the part of Congress, to endeavor to get rid of that expression of the will of the people, and to fix upon them, in any way, a Constitution that we know they do not desire.

This proposition is subject to all the exceptions I have made to it, and yet more. It proposes to submit the question to the people of Kansas at such a time, in such a form, and under such peculiar circumstances, that we must see that it is intended, at least it is well calculated and ingeniously devised, to secure, if possible, the success of the Lecompton Constitution, whether the people really desire it or not. Among the other means which may be counted upon for possible success in this vote is the improbability of getting the people to vote against a proposition for lands, which proposition they like, because a Constitution may follow. Is it not operating as a blind on the people? "Here is fair and liberal proposition of land to you: do you not like it?" Every man may say, "I like it." Then comes the question, "Will you vote for it?" "No; I will not vote for it, because I will have to take such a Constitution with it." Is it to be expected that every man in Kansas will understand that? Is not the very manner in which the question is presented to him calculated to disguise the real question, and to delude him?

Again, we know that that people have been

harassed and dragooned, and continued under all sorts of violent oppressions which the forms of law would allow, for many years in succession. I need not go over the story of the violence and the wrongs which they have suffered; but they have suffered, and that long and severely. They very much need repose. Now, you propose to them that they may have repose. How? If they will take Slavery. Otherwise they are to have no repose, no security, but are to be subjected to a still longer continuance of their sufferings, and to endure longer tribulation.

In the next place, it may be counted that they will vote for it, because all those who desire the places of Senators and Representatives and Governors and Secretaries and Treasurers and other offices, all those who hope for and have some reasonable expectation of succeeding in obtaining some of these offices, desire to get Kansas in a State form as soon as possible. You will have all that weight to obtain a particular slaveholding Constitution, though it is not the Constitution the people desire. Besides, you have the assistance of the Territorial officers appointed by the Executive. They well know what the ruling majority here desire to effect. They know that they desire to effect the adoption of the Lecompton Constitution. That is perfectly understood by the Governor, the Secretary, the Marshal, the District Attorney, the land officers, and all the other officers of this Government in the Territory of Kansas. All their aid is to be counted upon. That would not be so, if it were submitted to the people to make such a Constitution as they desired. That would be an entirely different effect, and then the action and influence of these officers might be entirely neutralized.

Further, instead of saying to the people of Kansas, "you may settle this question by forming such a Constitution as you want," this proposition gives them no such opportunity. It is so framed as to present to the world this view: "The majority in Congress have always desired to have this matter settled, but the Kansas people want to keep it up, and the Abolitionists try to make them keep it up. Now, we have offered to let them make a State Constitution if they please; that is, to take the Lecompton Constitution; but they have coolly rejected it." This being done, it may be argued, "Can we not say to the whole world, do you not see that it is the Kansas people that try to keep the question open? they would not adopt the Constitution we offered them;" and they must incur displeasure and prejudice for trying to keep the question open, when you have given them no opportunity fairly to close it.

There is another consideration to which this proposition addresses itself, calculated to give it success. The people of Kansas have been told by the Executive of the United States, that if they would only get to be a State, especially if they would get to be a slave State, it would be the shortest and quickest road to obtain a free State, because they have the right any day to alter the Constitution, and can do it immediately. The President told them so. The report of

the Committee on Territories, who presented the bill passed by the Senate, substantially endorsed the same doctrine; and gentlemen here say it is contained in the Lecompton Constitution, although that Constitution provides for one mode of amendment, which mode is, that it may be amended after 1864, by a two-thirds majority in both Houses of the Legislature, and then submitting the amendment to the people—an impracticable mode.

Now, the people of Kansas are to be presented with this question, in the form of which I have spoken, under this sort of assurance. I have no doubt that it is expected, certainly it is very well calculated, to induce that people to vote for the Constitution; and, indeed, in a recently-published letter of Governor Robinson, he says, that if there was no doubt as to how the certificates would be given to the officers chosen at the election which has already taken place, he thinks it would be well even to have the Lecompton Constitution put on them, because they would have the controlling power; and he says that people are fatigued with their long political agitation, and in need of rest, and desirous of going about their industrial pursuits. Is not this whole proposition well calculated to secure a vote of that long-pressed people, desirous of peace, even for what they do not want? The truth is, it addresses them on motives of that kind. If they follow it, they will certainly be deluded. Just as sure as the Lecompton Constitution is put into effect and operation, it will not be altered and amended. If they attempt to amend it immediately upon its being put into operation by the action of the newly-elected Legislature, the Governor would veto the act. The Free-State people have not got two-thirds of the Legislature, and they are not to have it anyhow. The attempt to amend the Constitution will be stopped; but if it were to go on, whenever that resolves itself into a judicial question, as it may at any time, and is presented to the Supreme Court of the United States, it will no doubt be decided that the people cannot alter their Constitution contrary to the provisions of that Constitution. It will be held that it is a sort of national compact by which people have come into the government of the majority on that condition; and being thus in the nature of a compact, it is incapable of being changed, except agreeably to the terms of the compact itself. They will be deluded in that; and I suppose, indeed I know, that this is well calculated to delude them. Whether it will do so effectually, time must determine.

I have very little hesitation in saying that, whatever may take place, if this question of accepting the land grants is presented to the people under this bill, rely upon it, Mr. President, I speak merely from the lessons which the history of Kansas has taught me—a majority will be returned in favor of accepting the land grants. I say, that a majority will be returned for it, in all human probability, whatever the actual votes may be. I do not agree with the honorable Senator from Kentucky, that the result will be otherwise, and that the proposition will be rejected. I do not say that I do not believe a majority of the

people will vote against it; but I say the returns will show a majority the other way; and when I say that, I speak merely from the lessons taught me by the history of Kansas itself.

There is another matter that equally bears on this proposition, and addresses itself to us on this occasion. An election has been held under the Lecompton Constitution; and if the people accept these land grants with this condition, of course, then, I take it, they are to abide by that election. Now, can anybody tell me what is the result of that election? Does not the final and ultimate determination of it rest with a certain Mr. Calhoun to-day? Is it not altogether within his hands and under his control? Most unquestionably it is. If the people do as they may do under this proposition, and as it is calculated to have them do—accept the Lecompton Constitution under the belief that the certificates of election are to be actually issued to a majority of the representatives of the Free-State people, they will certainly be deluded.

I have attempted to show that all these motives and purposes are presented, by the arrangement of this bill, calculated, not to carry into effect the true wishes of the people of Kansas, but to frustrate and evade them, and obtain, in point of fact, from these motives and considerations, a vote of that people, by which they shall take upon themselves this slave Constitution, abhorrent to their feelings.

Mr. President, I do not wish to detain the Senate longer. I have stated the reasons why, in my view, we cannot vote for this bill that is now pre-

sented here, whenever it shall come up properly, proposed by the committee of conference. It is utterly inconsistent with all the views we have entertained, and utterly inconsistent with the votes we have given in relation to the House amendment. I do not know but that, if it be presented to them the people of Kansas will manifest a continuance of the virtue and endurance they have heretofore displayed, by which they will disregard all the motives and inducements here held out to them, hold on their way, and go on enduring even unto the end, rejecting this proposition. It is possible that such may be the result of their discernment and their virtue; but I think we have little reason to expect that such will be the result. Certain I am, that none of these gentlemen who contrived this bill, and devised the form in which it is presented, expect to have any such result. At least a strong hope is entertained that it will secure the purposes for which it is designed by these contrivances—secure success to the Lecompton Constitution, whether the people desire it or not.

Viewing it in this light, regarding it in this view, it seems to me that the thing itself, in its character and in all its aspects, is utterly inconsistent with that conduct which becomes an American Senate—the Congress of a great people, whose conduct should be distinguished for directness, for frankness, for justness, for fairness, not for cunning and device. Sir, I think, if we intend to secure the confidence and command the respect of the people of this great and discerning nation, lovers of justice as they are, we shall reject this proposition.